

RECEIVED  
CENTRAL FAX CENTER

MAY 08 2006

PATENT

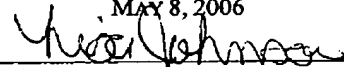
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Inventor(s):</b> Clifton A. Alferness	<b>Examiner:</b> GETZOW, Scott M.
<b>Appln. No.:</b> 10/668,528	<b>Group Art Unit:</b> 3762
<b>Filing Date:</b> September 23, 2003	<b>Confirmation No.:</b> 1883
<b>Title:</b> CARDIAC REINFORCEMENT DEVICE	<b>Customer No.:</b> 25764
	<b>Docket No.</b> 59013-331598

**Mail Stop Amendment**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT THIS CORRESPONDENCE IS BEING  
FACSIMILE TRANSMITTED TO THE U.S. PATENT AND  
TRADEMARK OFFICE (FAX NO. (571) 273-8300), ON

MAY 8, 2006

  
LISA JOHNSON**RESPONSE**

This Response is in reply to the outstanding Office Action mailed January 6, 2006,  
and includes the following sections:

1. Introductory Comments, beginning on page 2; and
2. Remarks beginning on page 3.

Also enclosed with this response is the following:

1. Request for One-Month Extension of Time;
2. Credit Card Payment Form for the extension of time and terminal disclaimer fees;
3. Terminal Disclaimer over pending applications; and
4. Terminal Disclaimer over issued patents.

Should any additional fee be required for entry of this paper, the Commissioner is  
authorized to charge the Faegre & Benson Deposit Account No. 06-0029 and in such event,  
is requested to notify us of the same.

10/668,528  
Amendment Dated: May 8, 2006  
Reply to Office Action of January 6, 2006  
Docket No.: 59013-331598  
Page 2

### **INTRODUCTORY COMMENTS**

This communication is responsive to the outstanding Office Action mailed on January 6, 2006. Claims 28-36 are pending in the current application. In the above-identified Office Action, the Examiner rejected claims 28-36.

By this Response, the Applicant hereby submits terminal disclaimers to obviate rejections on the ground of nonstatutory obviousness-type double patenting. The Applicant traverses the Examiner's rejection of claims 28-36 under 35 U.S.C. § 102(e). Reconsideration and allowance of claims 28-36 in view of the terminal disclaimers and accompanying Remarks is respectfully requested.